

CITY OF LEWISTON

CITY COUNCIL

JUNE 3, 1997

REGULAR MEETING HELD IN THE COUNCIL ROOM AT 7:00 P.M.

THE HONORABLE JOHN T. JENKINS, MAYOR, PRESIDING.

PRESENT: Councilors Lynch, Kelly Gray, Albert, Samson, Bilodeau, Putnam, City Administrator Robert J. Mulready, and City Clerk Gerald P. Berube.

Pledge of Allegiance to the Flag.

Moment of Silence.

Council President Frank Kelly and Mrs. Janice Plourde presented the Alfred A. Plourde Memorial Scholarship to Aurora Merry, a senior at Lewiston High School who will be attending Colby-Sawyer College.

VOTE (1)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To dispense with the reading of the minutes of the meeting of May 20, 1997, and to accept and place them on file as prepared by the City Clerk. Passed - Vote 6-1
Councilor Lynch abstained.

Students from team 82 at Lewiston Middle School presented their findings of a recent visit to the city owned property off Bradbury Road and bordering No Name Pond.

The students advised the Council that the study resulted in their decision that the land should be used as a Natural Wildlife Sanctuary which would protect the natural habitat of the animals presently there.

They stated that there is very little protected land left in Lewiston and No Name Pond is the only pond/watershed in Lewiston and greatly needs to be preserved. The land would influence the future of Lewiston school children by taking them out of the city classroom and into the outdoors which would be a valuable learning experience.

The Mayor and Council members were very impressed with the presentation and advised the students that the City will work with them to preserve this area.

Ward 1 Councilor Scott Lynch advised the Council that the City was attempting to resolve the Brooks Avenue parking problem and that the request for restricted parking should be tabled for an additional two week period.

VOTE (2)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

To table until the meeting of June 17, 1997, the request to restrict parking on Brooks Avenue. Passed - Vote 7-0

PUBLIC HEARING ON A PROPOSED INCREASE IN SEWERAGE SYSTEM USE CHARGES

Finance Director Richard Metivier, Public Works Director Chris Branch and Water and Sewer Superintendent Chris Crovo gave a report on the need for a sewer rate increase and answered questions from Council members and the general public.

Those present were advised that the increase was due mostly to increase in the operations of the Lewiston-Auburn Water Pollution Facility, the loss of industrial users and conservation by large water users.

After hearing all those present the following action was taken.

VOTE (3)

Motion by Councilor Kelly, seconded by Councilor Samson:

To accept the recommendation of the Public Works Director and City Administrator, and to amend the Sewer System Use Charges as follows:

In accordance with the Code of Ordinances, Chapter 74, Section 74-67, the following charges are hereby established:

1. **SEWERAGE SYSTEM USE CHARGES** (Effective July 1, 1997)

READY-TO-SERVE RATES

<u>METER SIZE</u>	<u>RATE</u>	
5/8"	\$ 13.61	<u>14.56</u>
3/4"	23.45	<u>25.09</u>
1"	41.70	<u>44.62</u>

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<u> </u>	1½"	93.83	<u>100.40</u>
<u> </u>	2"	166.79	<u>178.47</u>
<u> </u>	3"	375.29	<u>401.56</u>
<u> </u>	4"	667.20	<u>713.90</u>
<u> </u>	6"	1,501.18	<u>1,606.26</u>
<u> </u>	8"	2,668.76	<u>2,855.57</u>

First 800 cubic feet or part thereof, ~~\$1.00~~ 1.07 per 100 cubic feet.

Over 800 cubic feet at ~~\$1.65~~ 1.77 per 100 cubic feet.

Surcharge for B.O.D. concentration above 250 ppm., ~~10.239~~ 10.955¢ per lb. of B.O.D.

Surcharge for suspended solids concentration above 300 ppm., ~~13.259~~ 14.187¢ per lb. of suspended solids.

NOTE: Additions are underlined, deletions are ~~struck out~~.
Passed - Vote 7-0

VOTE (4)

Motion by Councilor Bilodeau, seconded by Councilor Gray:

To authorize the closing of two lanes of the Longley Memorial Bridge subject to the approval of the public safety officials, to authorize live entertainment in Heritage Park from noon until 11:30 P.M., and to prohibit peddlers and/or vendors on Main Street, between the Longley Bridge and Canal Street, Lincoln Street between Main Street and Cross Street, and on Mill Street, for the July 4th Celebration subject to the following conditions:

1. Security, satisfactory to the Police Chief, to be provided at the expense of the Independence Day Committee.
2. Portable toilet facilities to be provided during the event.
3. Area to be kept properly cleaned by the Independence Day Committee.

Passed -Vote 7-0

VOTE (5)

Motion by Councilor Bilodeau, seconded by Councilor Samson:

To authorize the Lewiston Lodge of Elks #371 to place a banner across Lisbon Street at East Avenue from Saturday, June 14th to Monday, June 30th for the car show to be held on Sunday,

June 29, 1997. Passed - Vote 7-0

The City Administrator advised the City Council that a legal issue in reference to the privatization of custodial services has been raised by union officials and requested that this issue be continued to the next regular meeting.

VOTE (6)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To table until the meeting of June 17, 1997, authorization to proceed with the privatization of custodial services at 5 city owned buildings. Passed - Vote 7-0

A motion was made at this time to adopt the policy on removal of the Lisbon Street canopy system.

Members of the Council raised a number of questions on the number of canopies which would be removed, the cost of removal, and how the area would look with only a few canopies remaining. After a brief discussion the following action was taken.

VOTE (7)

Motion by Councilor Bilodeau, seconded by Councilor Kelly:

To table until the regular meeting in July, the policy on removal of the Lisbon Street canopy system, and to instruct staff to develop alternatives to include cost and funding sources for the removal of all canopies. Passed - Vote 7-0

VOTE (8)

Motion by Councilor Bilodeau, seconded by Councilor Albert:

To authorize the State of Maine Department of Transportation to proceed with the plans for improvements to the Cotton Road Bridge. Passed - Vote 7-0

VOTE (9)

Motion by Councilor Albert, seconded by Councilor Bilodeau:

To accept the recommendation of the Land Committee and to authorize the Finance Department to dispose of the tax acquired properties, recommended for sale, in accordance with established City Policy. Passed - Vote 7-0

PUBLIC HEARING ON THE 1997-1998 TAX RESOLVE

The 1997-1998 Tax Resolve instructing the Chief Assessor to raise a stated amount by taxation received its first reading at this time.

VOTE (10)

Motion by Councilor Kelly, seconded by Councilor Bilodeau:

That the Tax Resolve instructing the Chief Assessor to raise \$34,411,755.00 to finance the 1998 Fiscal Year budget, has passage on first reading by a yea and nay vote, and that the public hearing on the Resolve be continued to the meeting of June 17, 1997, for final passage. Passed - Vote 7-0

A motion was made by Councilor Bilodeau and seconded by Councilor Samson that the proper ordinance be drafted for public hearing to amend the Zoning and Land Use Code where additions and accessory structures for legally-developed lots of record having less than 75 feet of frontage would only have to meet the minimum space bulk standards for the development of existing lots of record having less than 20,000 square feet of lot area as outlined under Article XI, Section 5.

Some members of the Council were concerned that this matter was not acted upon by the full Planning Board and had failed to receive the four affirmative votes required.

Gary Campbell, Building Inspector, advised the City Council on the need for the amendment and advised the Council that a property owner in an Industrial Zone having a fifty foot lot could not build an accessory building whereas twenty five foot side yards are required.

After a brief discussion the following action was taken:

VOTE (11)

Motion by Councilor Lynch, seconded by Councilor Kelly:

To remand back to the Planning Board for review and action by the entire board the request to amend the Zoning and Land Use Code to allow owners of existing, developed, non-conforming lots with limited lot width the ability to construct additions and accessory structures which would be precluded due to the greater space and bulk regulations in most commercial and industrial zoning districts. Passed - Vote 6-1

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Councilor Bilodeau opposed.

VOTE (12)

Motion by Councilor Kelly, seconded by Councilor Gray:

To adjourn at 9:15 P.M. Passed - Vote 7-0

A true record, Attest:

Gerald P. Berube, CMC
City Clerk
Lewiston, Maine